



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving Addendum to the Improvement Agreement for Public Improvements at 1125 East Pine Street

MEETING DATE: March 7, 2007

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution approving the Addendum to the Improvement Agreement for the Public Improvements at 1125 East Pine Street and authorizing the City Manager and City Clerk to execute the agreement on behalf of the City.

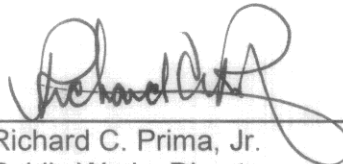
BACKGROUND INFORMATION: The developer, Nick Meyers, has applied for a building permit to construct a warehouse on 1125 East Pine Street. Public improvements, including curb, gutter, sidewalk and miscellaneous storm drainage improvements, are part of the off-site improvement requirement, as specified in LMC Chapter 15.44. The developer executed an improvement agreement for the required public improvements in March 2006. Under the terms of the improvement agreement, the developer had 365 days from the date of the agreement execution to complete the public improvements.

The public improvements have not been completed as of this date, due to financial constraints on the part of the developer. The developer desires to comply with the requirements of the agreement and is requesting a time extension for completion of the public improvements. Staff feels this is a reasonable request and is recommending a one-year extension for the public improvements as specified under the terms of the original improvement agreement. The addendum also specifies that the developer pay all the additional costs of the document preparation (\$548) and provide the necessary contract security and insurance for the terms of the original agreement.

The developer has executed the agreement and paid the additional fees. Staff is recommending that Council approve the Addendum to the Improvement Agreement for the Public Improvements at 1125 East Pine Street and authorize the City Manager and City Clerk to execute the agreement on behalf of the City

FISCAL IMPACT: There will be no financial impact to the City.

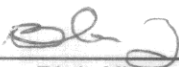
FINANCING AVAILABLE: Not applicable.



Richard C. Prima, Jr.
Public Works Director

Prepared by Lyman Chang, Associate Civil Engineer
RCP/LC/pmf
Attachments
cc: Nick Meyers
Associate Civil Engineer, Chang

APPROVED:



Blair King, City Manager

When Recorded, Please Return to:
Lodi City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2007-35

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING THE IMPROVEMENT AGREEMENT
ADDENDUM FOR PUBLIC IMPROVEMENTS AT
1125 EAST PINE STREET

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WHEREAS, Developer Nick Meyers has applied for a building permit to construct a warehouse at 1125 East Pine Street. Public improvements, including curb, gutter, sidewalk, and miscellaneous storm drainage improvements are a part of the off-site improvement requirement, as specified in Lodi Municipal Code Chapter 15.44; and

WHEREAS, the developer executed an improvement agreement for the required public improvements in March 2006 and, pursuant to the terms thereof, the developer had 365 days from the date of the agreement execution to complete the public improvements; and

WHEREAS, although the public improvements have not been completed as of this date, the developer desires to comply with the requirements of the agreement and is requesting a time extension for completion of the public improvements, and staff therefore recommends a one-year extension for the public improvements as specified under the terms of the original improvement agreement; and

WHEREAS, the addendum also specifies that the developer pay all the additional costs of the document preparation (\$548) and provide the necessary contract security and insurance for the terms of the original agreement; and

WHEREAS, the developer has executed the agreement and paid the additional fees, and staff recommends that the City Council approve the Addendum to the Improvement Agreement for the Public Improvements at 1125 East Pine Street and authorize the City Manager to execute the agreement on behalf of the City of Lodi.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi finds:

1. That the Addendum to the Improvement Agreement for the Public Improvements at 1125 East Pine Street is hereby approved, and further authorizes the City Manager to execute said Addendum on behalf of the City of Lodi.

Dated: March 7, 2007

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I hereby certify that Resolution No. 2007-35 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 7, 2007, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk

CITY COUNCIL

BOB JOHNSON, Mayor
JOANNE L. MOUNCE
Mayor Pro Tempore
LARRY D. HANSEN
SUSAN HITCHCOCK
PHIL KATZAKIAN

CITY OF LODI
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET

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March 2, 2007

BLAIR KING

City Manager

RANDI JOHL

City Clerk

D. STEVEN SCHWABAUER

City Attorney

RICHARD C. PRIMA, JR.

Public Works Director

Nick Meyers
77 Riverwood Drive
Woodbridge, CA 95258-9053

SUBJECT: Adopt Resolution Approving Addendum to the Improvement Agreement for
Public Improvements at 1125 East Pine Street

Enclosed is a copy of background information on an item on the City Council agenda of
Wednesday, March 7, 2007. The meeting will be held at 7 p.m. in the
City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a
Council Member requests discussion. The public is given an opportunity to address
items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council,
City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the
mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's
card (available at the Carnegie Forum immediately prior to the start of the meeting) and
give it to the City Clerk. If you have any questions about communicating with the
Council, please contact Randi Johl, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Lyman Chang,
Associate Civil Engineer, at 333-6800, extension 2665.

P. Prima

for: Richard C. Prima, Jr.
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk